

Appln. No. 09/670,545
Amendment dated September 17, 2004
Reply to Office Action of July 19, 2004

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The July 19, 2004 Office Action and the Examiner's comments have been carefully considered. In response, interviews were conducted with Examiner Fischetti, and claims are cancelled and amended in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

Inasmuch as the present Amendment raises no new issues for consideration, and, in any event, places the present application in condition for allowance or in better condition for consideration on appeal, its entry under the provisions of 37 CFR 1.116 is respectfully requested.

INTERVIEW

The courtesy of Examiner Fischetti in granting and conducting interviews in connection with this application is acknowledged and appreciated. The interviews took place on September 15, 2004 and September 16, 2004. Present at the interviews were Examiner Fischetti and Applicant's attorney, Robert Michal.

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During the interviews the present claimed invention as defined by independent claims 1 and 3 was discussed and contrasted to the cited references. Proposed clarifying amendments were discussed. During the September 16, 2004 interview, Examiner Fischetti advised Applicant's attorney that upon further consideration of the inventions defined by claims 1 and 3, the Examiner was of the opinion that claims 1 and 3 define separate patentable inventions and that claim 3 should be the subject of a separate patent application. In an effort to advance the prosecution of this application and to obtain an early allowance of a patent including claim 1, Applicant has agreed to cancel claim 3 and all claims dependent thereon and to pursue patent protection for the invention defined by claim 3 (and the claims dependent thereon) in a separate application to be filed at a later date.

DRAWINGS

In the Office Action the drawings are objected to because the Examiner contends that boxes 1 and 41-43 need to be identified using textual identifiers. In response, submitted herewith are proposed drawing corrections for Fig. 1 which include textual identifiers for reference numerals 1 and 41-44. Specifically, box 1 has been labeled "Automatic Ticket Dispenser"

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and boxes 41-44 have been respectively labeled as "Noodle Cooking Part", "Spaghetti Cooking Part", "Steak Cooking Part", and "Rice Cooking Part."

In view of the proposed drawing amendments, reconsideration and withdrawal of the objection to the drawings are respectfully requested.

WITHDRAWN CLAIMS

Withdrawn claims 21-23 have been cancelled to place the application in form for allowance.

PRIOR ART REJECTIONS

In the Office Action, claims 1, 2, 4, 6, 8 and 9 are rejected under 35 USC 103 as being unpatentable over USP 2,489,732 (Trimble) in view of French Patent No. 2758637 (FR '637). Claims 3, 5, 7 and 15-20 are rejected under 35 USC 103 as being unpatentable over Trimble in view of FR '637, and further in view of USP 4,803,917 (Barbieri) and USP 5,651,775 (Walker et al.).

As indicated above and in view of the Examiner's opinion that claim 3 is directed to a separate patentable invention as compared to claim 1, claim 3 and claims 5, 7, 16, 18 and 20 which

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are dependent on claim 3 have been cancelled and may be the subject of a separate divisional application.

In response to the rejection of claim 1, claim 1 is amended along the lines discussed with Examiner Fischetti during the September 15, 2004 interview. During the interview Examiner Fischetti stated that if the aforementioned amendments were made to claim 1, claim 1 would be in form for allowance. While it is Applicant's opinion that claim 1 need not be amended to define over the prior art, Applicant has agreed to amend claim 1 to advance the prosecution of this application and to more clearly set forth the invention. The amendments are not related to the patentability of the invention.

Claims 2, 4, 6, 15, 17 and 19 are either directly or indirectly dependent on claim 1 and are patentable over the cited references in view of their dependence on claim 1, and because the references of record do not disclose, teach or suggest each of the limitations set forth in the dependent claims.

In view of the foregoing, claims 1, 2, 4, 6, 15, 17 and 19 are in form for immediate allowance, which action is earnestly solicited.

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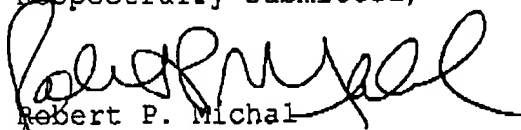
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Entry of this Amendment under the provisions of 37 CFR 1.116, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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Encl. Annotated Sheet Showing Changes to Fig. 1